

# **Town Board Minutes**

## **Meeting No. 10**

### ***Special Meeting***

**April 15, 1996**

MEETINGS TO DATE 10  
NO. OF REGULARS 7  
NO. OF SPECIALS 3

LANCASTER, NEW YORK  
APRIL 15, 1996

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of April 1996, at 6:30 P.M. and there were

**PRESENT:** ROBERT H. GIZA, SUPERVISOR  
DONALD E. KWAK, COUNCIL MEMBER  
JOHN T. MILLER, COUNCIL MEMBER  
MARK A. MONTOUR, COUNCIL MEMBER  
DONNA G. STEMPNIAK, COUNCIL MEMBER  
REBECCA ANDERSON, PLANNING BOARD CHAIRMAN NB-1-  
FRANK M. DE CARLO, PLANNING BOARD MEMBER  
JOHN P. GOBER, PLANNING BOARD MEMBER  
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

**ABSENT:** NB-1- NOT PRESENT FOR VOTE ON BELLA VISTA MATTER  
DAVID MARRANO, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MILDRED F. WHITTAKER, PLANNING BOARD MEMBER

**ALSO PRESENT:** ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
ROBERT H. LABENSKI, TOWN ENGINEER

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of three actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
CADBY INDUSTRIAL PARK SITE PLAN**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Cadby Industrial Park Site Plan matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK , TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
CADBY INDUSTRIAL PARK  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type I action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 20.27 acres.

The location of the premises being reviewed is on the west side of Ransom Road, south side of Walden Avenue (962 and 946 Ransom)

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
  - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.

6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will have a small to moderate affect on air quality.
8. The proposed action will have a small to moderate affect on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not impact on the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g).
15. The proposed action will have a small to moderate affect on existing transportation systems. There will be an increase of truck traffic on Ransom Road.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectional odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate affect on the character of the existing community.
20. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor  
Town of Lancaster

April 15, 1996

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	VOTED WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

April 15, 1996

**IN THE MATTER OF THE SEQR REVIEW OF THE  
NORTHEAST DIVERSIFICATION SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Northeast Diversification Site Plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER GOBER , TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION  
NORTHEAST DIVERSIFICATION  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 2.3 acres.

The location of the premises being reviewed is situate on the west side of Ransom Road, south side of Walden Avenue (962 and 946 Ransom Road)

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
    - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.

**No adverse effects noted**

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

**No adverse effects noted**

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

**No adverse effects noted**

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

**No adverse effects noted**

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

**No adverse effects noted**

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

**No adverse effects noted**

C.7 Other impacts (including changes in use of either quantity or type of energy.

**No adverse effects noted**

D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor  
Town of Lancaster

April 15, 1996

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	VOTED WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

April 15, 1996

**IN THE MATTER OF THE SEQR REVIEW OF THE  
BELLA VISTA GROUP REZONE PETITION**

**and**

**TRANSIT REHM SHOPPING CENTER**

The Municipal Review Committee then proceeded with the Environmental Assessment on the proposed Bella Vista Group rezone and Transit Rehm Shopping Center matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER GOBER , TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
BELLA VISTA GROUP REZONE  
and  
TRANSIT REHM SHOPPING CENTER**

**NEGATIVE DECLARATION**



**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type I action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 9.947 acres.

The location of the premises being reviewed is situate on the east side of Transit Road, north of Rehm Road.

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
  - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate affect on threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.

12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not impact on the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g).
15. The proposed action will have a small to moderate affect on existing transportation systems. The signal at Transit and Genesee will be modified and the existing signal in front of Tops Market will be moved all in accordance with project mitigation specified in a letter dated December 1, 1995 from the State DOT to Joseph Reina, Town Attorney and the March 5, 1996 letter from the New York State Department of Transportation to Nicholas L. LoCicero regarding a southbound left green arrow on Transit Road at the intersection of Genesee Street, a westbound left green arrow, and an eastbound right green arrow, both on Genesee Street at the intersection with Transit Road; an accident analysis will be required with future traffic studies pursuant to said March 5, 1995 letter.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectional odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will not affect the character of the existing community.
20. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

added  
6/30/96  
R.P.T. Hill

s/s \_\_\_\_\_

SEAL

Robert H. Giza, Supervisor  
Town of Lancaster

April 15, 1996

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

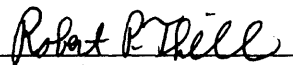
SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	VOTED WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

April 15, 1996

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:30 P.M.

  
Robert P. Thill, Town Clerk  
Clerk Zoning Board of Appeals

# **Town Board Minutes**

## **Meeting No. 11**

### ***Regular Meeting***

**April 15, 1996**

MEETINGS TO DATE 11  
NO. OF REGULARS 8  
NO. OF SPECIALS 3

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LANCASTER, NEW YORK  
APRIL 15, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 15th day of April 1996 at 8:00 P.M. and there were

**PRESENT:** DONALD E. KWAK, COUNCIL MEMBER  
JOHN T. MILLER, COUNCIL MEMBER  
MARK A. MONTOUR, COUNCIL MEMBER  
DONNA G. STEMPIAK, COUNCIL MEMBER  
ROBERT H. GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT P. THILL, TOWN CLERK  
ROBERT H. LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
THOMAS E. FOWLER, CHIEF OF POLICE  
CHRISTINE FUSCO, ASSESSOR

**PERSONS ADDRESSING TOWN BOARD:**

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

1. Who is Chairman of Investigating Committee.
2. Alleged illegal dumping on Stony Road

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matter:

1. Requested information on communication # 270.

**Morningstar, Al**, 5743 Genesee Street, spoke to the Town Board on the following matter:

1. Does not want Tops issued an occupancy permit unless sewer under Ellicott Creek is inspected.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matter:

1. Complained of a surface water drainage problem on his property at 87 Stony Road.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER, STEMPNIAK TO WIT:

**RESOLVED**, that the minutes from the Regular Meeting of the Town Board  
held on April 1, 1996 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER MONTGOMERY, WHO  
 MOVED ITS ADOPTION. SECONDED BY  
 COUNCIL MEMBER STEMPNIAK TO WIT:

**RESOLVED**, that pursuant to Section 4-104 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in each Election District of the Town of Lancaster for the conduct of Elections and Primaries during the year following the ensuing 1st day of May 1996.

**ELECTION  
DIST.**

**POLLING PLACE**

- 1 Town Hall, 21 Central Ave., Lancaster, N.Y.
- 2 Court Street School, 91 Court St., Lancaster, N.Y.
- 3 Court Street School, 91 Court St., Lancaster, N.Y.
- 4 Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
- 5 Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
- 6 Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
- 7 Lancaster Municipal Building, 5243 Broadway, Lancaster, N.Y.
- 8 St. Mary's High School, 142 Laverack Ave., Lancaster, N.Y.
- 9 Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y.
- 10 Central Avenue School, 149 Central Ave., Lancaster, N.Y.
- 11 Fire Hall, 45 Meridian St., Depew, N.Y.
- 12 Fire Hall, 45 Meridian St., Depew, N.Y.
- 13 Depew Municipal Building, 85 Manitou St., Depew, N.Y.
- 14 North Side Fire Hall, 112 Brewster St., Depew, N.Y.
- 15 SS. Peter & Paul School, 52 Burlington Ave., Depew, N.Y.
- 16 Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
- 17 Town Court Building, 525 Pavement Rd., Lancaster, N.Y.
- 18 Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
- 19 Historical Schoolhouse, 3703 Bowen Rd., Lancaster, N.Y.
- 20 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 21 North Side Fire Hall, 112 Brewster St., Depew, N.Y.
- 22 Substation, Bowmansville Fire Hall, 158 Seitz Ave., Lancaster, N.Y.
- 23 Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
- 24 Lancaster Village Dept. of Public Works, 5200 Broadway, Lancaster, N.Y.
- 25 Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
- 26 SS. Peter & Paul School, 52 Burlington Ave., Depew, N.Y.
- 27 Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
- 28 Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
- 29 Bus Garage, Lanc. School Dist., 295 Pleasant View Dr., Lancaster, N.Y.
- 30 Substation, Town Line Fire Hall, 63 Cemetery Rd., Lancaster, N.Y.
- 31 Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
- 32 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 33 Cayuga Heights School, 1780 Como Park Blvd., Lancaster, N.Y.
- 34 Cayuga Heights School, 1780 Como Park Blvd., Lancaster, N.Y.
- 35 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 36 Lancaster Senior Center, 100 Oxford Ave., Lancaster, N.Y.
- 37 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 38 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 39 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 40 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 41 Townview Apartments Community Center, 50 Grambo Dr., Lancaster, N.Y.
- 42 Townview Apartments Community Center, 50 Grambo Dr., Lancaster, N.Y.
- 43 Town Court Building, 525 Pavement Rd., Lancaster, N.
- 44 Hillview School, Transit Rd. & Pleasantview Dr., Lancaster, N.Y.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996



THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR GIZA, WHO MOVED ITS  
 ADOPTION, SECONDED BY COUNCIL MEMBER  
 KWAK TO WIT:

**WHEREAS**, the Department Crew Chief, by letter dated April 9, 1996, has requested the following appointments for the Parks and Recreation Department as maintenance and support staff for the summer season of 1996,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to laborer positions in the Parks and Recreation Department of the Town of Lancaster at the following hourly rates as specified in the 1996 Budget of the Town of Lancaster:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Carmen Ciccarelli (Re-hired) 809 Erie Street Lancaster, New York 14086	Laborer	\$5.50 hr.
James Cohan (Re-hired) 2001 Como Park Blvd. Lancaster, New York 14086	Laborer	\$5.50 hr.
Donald Hibbs (Re-hired) 75 S. Irwinwood Lancaster, New York 14086	Laborer	\$6.25 hr.
James Len, Jr. (Re-hired) 275 Seneca Pl. Lancaster, New York 14086	Laborer	\$6.50 hr.
Eric Przykuta (Rehired) 60 Court St. Lancaster, New York 14086	Laborer	\$5.50 hr.
James Volpe (Re-hired) 89 Wilma Dr. Lancaster, New York 14086	Laborer	\$5.50 hr.
Brandon Wehrung (Re-hired) 34 Partridge Wlk. Lancaster, New York 14086	Laborer	\$5.50 hr.
John Zimmerman (Re-hired) 23 Candice Ct. Lancaster, New York 14086	Laborer	\$7.25 hr.
Timothy Kennuth (New Candidate) 42 Fairfield Ave. Lancaster, New York 14086	Laborer	\$5.00 hr.
Richard Marino (New Candidate) 173 Laverack Ave. Lancaster, New York 14086	Laborer	\$5.00 hr.

Scott Olejniczak (New Candidate) Laborer \$5.00 hr.  
37 Southwest Pkwy.  
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR GIZA, WHO MOVED ITS  
 ADOPTION, SECONDED BY COUNCIL MEMBER  
 MILLER, TO WIT:

**WHEREAS**, by memorandum dated February 26, 1996, the Engineer of the Town of Lancaster, requested line transfers be made within the General Fund Budget-Engineering Budget in order to increase the salary of John Smith, a Construction Inspector in the Engineering Department, for performing extra duties and to bring his salary in line with others on his level (Assistant Building Inspectors), and

**WHEREAS**, by memorandum dated April 2, 1996, the Supervisor has requested that these transfer of funds be authorized within the 1996 General Fund Budget-Engineering Budget to allocate funds to cover an increase in salary of John Smith, a Construction Inspector in the Engineering Department of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following transfers within the 1996 Adopted General Fund Budget be and are hereby approved:

<u>FUND APPROPRIATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
01.1440.0411 Miscellaneous Contractual Expenses		5,500.00
01.1440.0100 Personal Services - Construction Inspector	5,500.00	

and,

**BE IT FURTHER**

**RESOLVED**, that the salary for **John D. Smith** for the year 1996 be and is hereby set at \$29,350.00.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

File: RACTRAN (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MILLER TO WIT:

**WHEREAS**, the General Crew Chief of the Departments of Buildings, Grounds, Parks, Forestry, Senior Citizens and Recreation of the Town of Lancaster, by letter dated April 8, 1996, desires to create the position of Town Forester in the Forestry Division of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Positions Duties Statement) for the purpose of obtaining the appropriate service title for the anticipated position of Town Forester of the Town of Lancaster, and

**BE IT FURTHER\**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:

Page 328

**WHEREAS**, the **DORMITORY AUTHORITY OF THE STATE OF NEW YORK** has submitted a Letter Agreement to the Town of Lancaster, whereby said Authority wishes to continue its Buffalo Psychiatric Center office at the Town Center, 525 Pavement Road in the Town of Lancaster, and

**WHEREAS**, the said Dormitory Authority wishes to remain in occupancy on a month to month basis, under the same terms and conditions of the Lease Agreement, and

**WHEREAS**, the Town Board has reviewed this matter and has determined that it would be in the public interest to continue this occupancy;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and is hereby authorized to execute a Letter Agreement dated March 27, 1996, thereby allowing the Dormitory Authority to operate a Buffalo Psychiatric Center Office at the Town Center, 525 Pavement Road, Lancaster, New York, under the same terms and conditions of the Lease Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

File: rdormtry.496

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK , WHO  
MOVED ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR TO WIT:

Page 329

**WHEREAS**, YORKTON LANCASTER DEVELOPMENTS, INC. has  
heretofore applied of Fairway Hills Subdivision Phase I, and

**WHEREAS**, by resolution dated November 20, 1995, the Town Board of the  
Town of Lancaster has approved this subdivision, and

**WHEREAS**, the subdivision map must be filed in the Erie County Clerk's Office  
within sixty (60) days of Town Board approval, and

**WHEREAS**, the linen map covers were not submitted to the Town Clerk for  
certification within the sixty (60) day period.;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby re-approves the  
subdivision known as Fairway Hills Phase I, as filed by Yorkton Lancaster Developments, Inc.
2. That the Town Clerk of the Town of Lancaster be and is hereby directed to  
properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy  
thereof, and
3. That the Town Attorney be and is ehreby directed to attend to the filing of  
the subdivision map in the Erie County Clerk's Office

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK TO WIT

Page 330

**WHEREAS**, the Town of Lancaster has negotiated a contract with the County of Erie Department of Senior Services, whereby the County will provide the sum of \$2,000.00 for the calendar year 1996 to assist in the support of programs at the Lancaster Senior Center, and

**WHEREAS**, the Town Board deems it in the public interest to enter into this Agreement with the County of Erie Department of Senior Services;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and is hereby authorized to execute the before mentioned Contract on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MILLER , TO WIT

Page 331

**WHEREAS**, the Town Attorney has requested that he be authorized to hire a part time clerk in his office, this position having been budgeted for in the 1996 budget. and

**WHEREAS**, the Town Attorney has recommended that **JUSTINE RYBAK**, 694 Ransom Road, Lancaster, New York, be hired to fill this part-time position;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster authorizes the employment of **JUSTINE RYBAK**, as part time clerk in the Town Attorney's office at the hourly wage of \$9.36 as set forth in the schedule of salaries to commence as of April 10, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

File: rrybak



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK, TO WIT

Page 332

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, designated as Chapter 46 of the Code of the Town of Lancaster;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of May, 1996, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before October 5, 1996, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

File: vtordh.

**LEGAL NOTICE  
PUBLIC HEARING  
PUBLIC HEARING**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of April, 1996, the said Town Board will hold a Public Hearing on the 6th day of May, 1996, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46**

**ARTICLE X - Parking, Standing and Stopping.**

**46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:**

- (60) **On the south side of Riemers Avenue from its intersection with Central Avenue to a point 300 feet west of that intersection..**

**And**

**46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:**

- (60) **On the south side of Riemers Avenue from its intersection with Central Avenue to a point 300 feet west of that intersection.**

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: ROBERT P. THILL  
Town Clerk**

**April 15, 1996**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK , TO WIT:

Page 334

**WHEREAS**, the Highway Superintendent of the Town of Lancaster has requested  
the purchase of One New and Unused 1996 Self-Propelled Paver for the use of the Highway  
Department, and

**WHEREAS**, the Highway Committee of the Town Board recommends that such  
purchase be authorized;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That Bids be received by the Town Clerk on April 29, 1996, at 10:00  
o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the  
purpose of purchasing One (1) New and Unused 1996 Self-Propelled Paver for the use of the  
Highway Department in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to  
Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be  
in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS

**NOTICE IS HEREBY GIVEN**, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 29th day of April, 1996, for the purpose of providing One (1) New and Unused 1996 Self-Propelled Paver to the Town of Lancaster for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

April 15, 1996

**PREFILED RESOLUTION NO. 12 - MEETING OF 04/15/96**

16. Montour/\_\_\_\_\_ Authorize Notice To Bidders Tractor With Trailer

At the request of Council Member Montour, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR TO WIT:

Page 337

WHEREAS, a Public Hearing was held on the 18th day of March, 1996, for the purpose of amending Section 50-43 (C) of the Code of the Town of Lancaster, as follows:

#### CHAPTER 50 - ZONING

Section 50-43, Site Plan, of Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended by adding thereto the following:

Section 50-43. Site Plan Review.

.....

C. ....

(6) Town Board Proceedings.

a) Town Board Action

[1] Following completion of Planning Board review and upon receipt of Planning Board's report regarding site plan, the Town Board shall within sixty (60) days:

- (I) Refer back to Planning Board for additional data, if necessary.
- (ii) Approve the site plan.
- (iii) Approve the site plan with conditions limiting the use and the occupancy of the land or proposed buildings consistent with the intent and purposes of this Ordinance.

and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

WHEREAS, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Section 50-43 (C) of Chapter 50, Zoning, of the Code of the Town of Lancaster, County of Erie, and State of New York, be and hereby is amended;

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 15th day of April, 1996;

3. That a certified copy of this amendment be published in the Lancaster Bee on April 18, 1996;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board; and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

File:rzonorda.496

LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT OF CHAPTER 50 ZONING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that Section 50-43 (C) of Chapter 50,  
Zoning of the Code of the Town of Lancaster be and is hereby amended as follows:

CHAPTER 50 - ZONING

Section 50-43, Site Plan, of Chapter 50, Zoning, of the Code of the Town of  
Lancaster shall be amended by adding thereto the following:

Section 50-43. Site Plan Review.

.....

C. ....

(6) Town Board Proceedings.

a) Town Board Action

[1] Following completion of Planning Board review  
and upon receipt of Planning Board's report  
regarding site plan, the Town Board shall within  
sixty (60) days:

- (I) Refer back to Planning Board for additional  
data, if necessary.
- (ii) Approve the site plan.
- (iii) Approve the site plan with conditions  
limiting the use and the occupancy of the  
land or proposed buildings consistent with  
the intent and purposes of this Ordinance.

April 15, 1996

STATE OF NEW YORK :  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER:

This is to certify that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said  
County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original  
thereof filed in my office at Lancaster, New York, on the 15th day of April, 1996, and that the  
same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this  
15th day of April, 1996.

(SEAL)

  
Robert P. Thill, Town Clerk



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,  
ADOPTED APRIL 15, 1996, AUTHORIZING THE  
CONSTRUCTION OF VARIOUS IMPROVEMENTS TO WESTWOOD  
PARK, IN THE TOWN, STATING THE ESTIMATED MAXIMUM  
COST THEREOF IS \$900,000, APPROPRIATING SAID AMOUNT  
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$900,000  
SERIAL BONDS OF SAID TOWN TO FINANCE SAID  
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY  
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not  
less than two-thirds of all the members of said Town Board) AS  
FOLLOWS:

Section 1. The Town of Lancaster, in the County of  
Erie, New York (herein called "Town"), is hereby authorized to  
construct various improvements to Westwood Park, in the Town.  
The estimated maximum cost thereof, including preliminary costs  
and costs incidental thereto and the financing thereof, is  
\$900,000 and said amount is hereby appropriated therefor. The  
plan of financing includes the issuance of \$900,000 serial bonds  
of the Town to finance said appropriation, and the levy and  
collection of taxes on all the taxable real property in the Town  
to pay the principal of said bonds and the interest thereon as  
the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal  
amount of \$900,000 are hereby authorized to be issued pursuant to

the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes for which said \$900,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19. (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and

interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

\* \* \*

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY  
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster  
shall, within ten (10) days after the adoption of this  
resolution, cause to be published, in full, in the "LANCASTER  
BEE," a newspaper published in Buffalo, New York, having a  
general circulation within said Town and hereby designated the  
official newspaper of the Town for such publication, and posted  
on sign board of the Town maintained pursuant to the Town Law, a  
Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 15, 1996, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted April 15, 1996, authorizing the construction of various improvements to Westwood Park, in the Town, stating the estimated maximum cost thereof is \$900,000, appropriating said amount therefor, and authorizing the issuance of \$900,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct various improvements to Westwood Park, in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$900,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$900,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$900,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the class of objects or purposes is fifteen (15) years; the proceeds of the bonds authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of the resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$900,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation

notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 15, 1996

Robert P. Thill  
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

\* \* \*

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER, TO WIT:

RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,  
ADOPTED APRIL 15, 1996, AMENDING THE BOND  
RESOLUTION ADOPTED MARCH 7, 1994.

Recital

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York, has heretofore duly authorized the construction of Westwood Park, in the Town, on land owned by the Town, at the estimated maximum cost of \$2,500,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on March 7, 1994, and hereinafter referred to, and it has now been determined that due to increased costs of labor and materials with respect thereto, said cost is now estimated to be \$3,025,000 and it is necessary to increase the appropriation by \$525,000;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board), AS FOLLOWS:

Section (A) The bond resolution of said Town duly adopted by the Town Board on March 7, 1994, entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted March 7, 1994, authorizing the construction of Westwood Park, in the Town, on land owned by the Town, stating the estimated maximum cost thereof is \$2,500,000, appropriating said amount therefor, and authorizing the issuance of \$2,500,000 serial bonds of said Town to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,  
ADOPTED MARCH 7, 1994 AND AMENDED APRIL 15, 1996,  
AUTHORIZING THE CONSTRUCTION OF WESTWOOD PARK, IN  
THE TOWN, ON LAND OWNED BY THE TOWN, STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS \$3,025,000,  
APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING  
THE ISSUANCE OF \$3,025,000 SERIAL BONDS OF SAID  
TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY  
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not  
less than two-thirds of all the members of said Town Board) AS  
FOLLOWS:

Section 1. The Town of Lancaster, in the County of  
Erie, New York (herein called "Town"), is hereby authorized to  
construct Westwood Park, in the Town, on approximately 120 acres  
of land owned by said Town. The estimated maximum cost of said  
specific object or purpose, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$3,025,000 and  
said amount is hereby appropriated therefor. The plan of  
financing includes the issuance of \$3,025,000 serial bonds of the  
Town to finance said appropriation, and the levy and collection  
of taxes on all the taxable real property in the Town to pay the  
principal of said bonds and the interest thereon as the same  
shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$3,025,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which the \$3,025,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 19. (a) of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any

notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, is subject to permissive referendum.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C) The Town Clerk of said Town of Lancaster, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "LANCASTER BEE," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 15, 1996, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a resolution amending the bond resolution adopted by said Town Board on March 7, 1994, which bond resolution, as amended, is entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted March 7, 1994 and amended April 15, 1996, authorizing the construction of Westwood Park, in the Town, on land owned by the Town, stating the estimated maximum cost thereof is \$3,025,000, appropriating said amount therefor, and authorizing the issuance of \$3,025,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, as amended, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct Westwood Park, in the Town, on approximately 120 acres of land owned by said Town; STATING the estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,025,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$3,025,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,025,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be twenty (20) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$3,025,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution, as amended, is subject to a permissive referendum.

DATED: April 15, 1996

Robert P. Thill  
Town Clerk



Section (D) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition is filed protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval, and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted March 7, 1994 shall not be in any way affected and shall remain in full force and effect.

Section (E) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution, as herein amended, to be published, in full, in the newspaper hereinabove referred to in Section C hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (F) This resolution shall take effect immediately.

\* \* \*

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY , COUNCIL MEMBER STEMPNIAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK , TO WIT:

**WHEREAS, TRANSIT REHM ASSOCIATES, 6495 Transit Road,**  
Bowmansville, New York, 14026, the Owner of a parcel of property located on the east side of  
Transit Road, south of Pleasant View Drive and north of Rehm Road (N.E. Corner of Transit and  
Rehm Road) in the Town of Lancaster, New York, has petitioned the Town Board of the said  
Town for the rezone of said property from an R1-Residential District One, to a GB-General  
Business District, and

**WHEREAS,** the Petition has been referred to the Planning Board of the Town of  
Lancaster for its recommendation and report;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that pursuant to Sections 130 and 265 of the Town Law of the  
State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21  
Central Avenue, Lancaster, New York, on the 6th day of May, 1996, at 8:45 o'clock P.M.,  
Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster  
Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board,  
and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant  
top Section 239 (m) of the General Municipal Law, which Notice shall be in form attached  
hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

**LEGAL NOTICE  
PUBLIC HEARING  
TRANSIT REHM ASSOCIATES  
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of April, 1996, the said Town Board will hold a Public Hearing on the 6th day of May, 1996, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an R1-Residential District One, to a GB-General Business District:

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 11, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

**COMMENCING**, at a point in the northerly line of Rehm Road, (49.5 feet wide) at the southwest corner of land conveyed to Hillview Baptist Church by deed recorded in Erie County Clerk's Office in Liber 8936, Page 30;

**THENCE** north along the westerly line of Liber 8936, Page 30, 220 feet more or less to a point in the current zoning line and the point of beginning;

**THENCE** continuing northerly along the westerly line of lands of Hillview Baptist Church, John & Florence Gierlinger by deed recorded in Erie County Clerk's Office in Liber 3396, Page 13, and the current zoning line, 572.76 feet to a point;

**THENCE** easterly along the current zoning line, 200.23 feet to a point;

**THENCE** northerly along the current zoning line, through the lands of John & Florence Gierlinger, Max & Marie Winklehofer by deed recorded in Erie County Clerk's Office in Liber 9331, Page 187, 470.65 feet more or less to a point in the northerly line of Max & Maria Winklehofer;

**THENCE** easterly along the northerly line of Max & Maria Winklehofer 552.38 feet to a point;

**THENCE** southerly through the lands of Max & Maria Winklehofer, John & Florence Gierlinger, 673.20 feet to a point in the northerly line of the aforementioned Hillview Baptist Church;

**THENCE** westerly along the northerly line of Hillview Baptist Church, 713.11 feet to a point;

**THENCE** southerly through the lands of Hillview Baptist Church, parallel with the westerly line of Hillview Baptist Church, 372.26 feet to a point;

**THENCE** westerly along the current zoning line, 50.01 feet to the point of beginning.

The above parcel is part of that tract of land bounded on the north by Hillview Elementary School, on the east by Hillview subdivision, on the south by Hillview Baptist Church and on the west by Transit Road.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

BY: ROBERT P. THILL  
Town Clerk

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER , TO WIT

Page 359

**WHEREAS**, FREDERICK'S MANOR has submitted a Site Plan dated March 15, 1996, for the construction of an addition to its existing restaurant located at the southeast corner of Bowen Road and Broadway, Lancaster, New York, and

**WHEREAS**, the Planning Board has reviewed the plan, and by memo dated April 10, 1996, has recommended approval, subject to certain conditions as set forth in said Memo, and

**WHEREAS**, this project has been reviewed with respect to SEQR Regulations and it has been determined that this project is a Type II Action and as such, no further SEQR review is necessary;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Frederick's Manor, for the construction of an addition to its existing restaurant located at the southeast corner of Bowen Road and Broadway in the Town of Lancaster, in accordance with plans prepared by Mussachio Architects, dated March 15, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTOUR, TO WIT:

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**RESOLVED**, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 7475 to Claim No. 7718 Inclusive

Total amount hereby authorized to be paid: \$630,815.79

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER STEMPNIAK TO WIT:

RESOLVED, that the following Building Permit Applications  
 be and are hereby approved and the issuance of these Building Permits be  
 and are hereby authorized:

## CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the  
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
3210		James N Martek	1185 Penora St	Er. Pool
3211		Stratford Homes Inc	22 Michael Anthony	Er. Sin. Dwlg
3212		Ronald/Rosemarie Kane	3 Southpoint Dr	Er. Pool
3213		Essex Homes of WNY	30 Willow Ridge Ct	Er. Sin. Dwlg
3214		Beauty Pools Inc	119 William Kidder	Er. Pool
3215		VOIDED	0 VOIDED	
3216		AllCraft	102 Newberry Ln	Er. Sin. Dwlg
3217		AllCraft	106 Newberry Ln	Er. Sin. Dwlg
3218		Richard Chamberlain	10 Quail Run Ln	Ex. Garage
3219		Hank Polanowski	4793 William St	Inst. Fence
3220		Decks Unlimited Const	11 Riemers Ave	Er. Deck
3221		Keith Wilkinson	5360 Genesee St	Alter Office Bldg
3222		Capretto Enterprises	289 Enchanted Fst N	Er. Sin. Dwlg
3223		Kevin Dossett	21 Maple Dr	Rem. Sin. Dwlg
3224		Mark Nichols	35 Stony Brook Dr	Er. Fence
3225		Michael Licht	19 Quail Run Ln	Er. Deck
3226		Albert Randaccio Bldrs	27 Cambridge Ct	Er. Sin. Dwlg
3227	SW	Ronald Mays	841 Erie St	Er. Sin. Dwlg
3228		Another Custom Home	21 Michael's Wlk	Er. Sin. Dwlg
3229		M J Ogiony Bldrs	19 Michael's Wlk	Er. Sin. Dwlg
3230		Seventh Day Advent Church	5580 Genesee St	Er. TV Dish
3231		Ronald Page	38 Signal Dr	Er. Shed
3232		George MacPeck	203 Broezel Ave	Er. Fence
3233		Majestic Pools Inc	200 Siebert Rd	Er. Pool/Fence
3234		Majestic Pools Inc	43 Spruceland Terr	Er. Pool/Fence
3235		Majestic Pools Inc	19 Ryan St	Er. Pool/Fence
3236		Advision Inc	5802 Broadway	Er. Sign
3237		Allcraft Homes	12 Bridgewater Ct	Er. Sin. Dwlg
3238		Forbes Homes Inc	51 Stream View Ln	Er. Sin. Dwlg
3239		Michael Patterson	4 Rose Hill Cir	Er. Deck/Pool

3240	Allcraft Homes	18 Traceway	Er. Sin. Dwlg
3241	Peter Cooper	27 Old Post Rd	Er. Shed

and,

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

Council Member Miller requested the suspension of the necessary rule for immediate consideration of the following resolution:

**SUSPENSION GRANTED:**

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT**

**WHEREAS**, the State of New York provides financial aid for household hazardous waste programs, and

**WHEREAS**, the Town of Lancaster, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws, and

**WHEREAS**, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Lancaster Town Board, as follows:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Lancaster Town Supervisor or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said household hazardous waste program;
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.



5. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 15, 1996

File: rgrthhw

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT

**WHEREAS,** Lee Cadby, 103 Nichter Road, Lancaster, New York,  
has submitted a Site Plan dated January 6, 1996, for the construction of an Equipment  
Maintenance and Office Facility (Northeast Diversification) to be located on the north side of  
Cadby Industrial Park roadway, approximately 262 feet west of Ransom Road,

**WHEREAS,** the Planning Board has reviewed the plan, and at its meeting March  
20, 1996, recommended approval, and

**WHEREAS,** this project has been reviewed under the SEQR Regulations and an  
environmental review was held on Monday, April 15, 1996;;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the  
Site Plan submitted by Lee Cadby for the construction of an equipment maintenance and office  
facility to be located on the north side of Cadby Industrial Park roadway, approximately 262 feet  
west of Ransom Road, in the Town of Lancaster, in accordance with plans prepared by Polka  
Engineering, dated January 6, 1996..

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

<b>COUNCIL MEMBER KWAK</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MILLER</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER MONTOUR</b>	<b>VOTED YES</b>
<b>COUNCIL MEMBER STEMPNIAK</b>	<b>VOTED YES</b>
<b>SUPERVISOR GIZA</b>	<b>VOTED YES</b>

April 15, 1996

Council Member Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

**SUSPENSION GRANTED:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK , - TO WIT

**WHEREAS**, the New York State Department of Environmental Conservation offers a grant program funded by the Environmental Protection Fund to provide local governments with financial assistance to collect and dispose of household hazardous wastes , and

**WHEREAS**, the Town currently underwrites the costs associated with the collection and disposal of household hazardous wastes through its agreement with a private contractor, and

**WHEREAS**, the Town may be eligible for up to 50% of the costs it incurs in conjunction with household hazardous waste collection and disposal activities,

**NOW, THEREFORE, BE IT**

**RESOLVED, as follows:**

1. That Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Environmental Conservation for the purpose of securing this grant, and

2. That the Supervisor be and is hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 15, 1996

File:rgntwst.1

**COMMUNICATIONS**Page 367  
**DISPOSITION**

268.	Krehbiel Assoc. Inc To Supervisor and Town Board - Request readoption of resolution approving Final Plat for Fairway Hills Subdivision Phase I.	R & F
269.	Town Clerk to Town Board - Advisement of contracts due to expire June 1996.	TOWN ATTORNEY
270.	Town Clerk to Planning Board Chairman - Rezoning petition - Randall Benderson - Proposed theater complex with restaurants and retail. (Transit Rd./ Wehrle Dr)	PLANNING BOARD
271.	Town Clerk to Supervisor - Town Clerk's Monthly Report for March 1996.	R & F
272.	County of Erie to Supervisor - Tax cancellations and refunds by County for 1995.	R & F
273.	County of Erie to Supervisor - Tax cancellations and refunds by County for 1995 for Town expenditures.	R & F
274.	Parks Dept. Crew Chief to Director of Recreation - Re. Daily activity report.	R & F
275.	NYS Board of Real Property Services to Supervisor - Final State Equalization Rate - \$86.58.	R & F
276.	Parks Dept. Crew Chief to Director Bowmansville Fire Dept. - Re. Outfield fence at Bowmansville Fire Dept. Baseball field	R & F
277.	Parks Dept. Crew Chief to Supervisor - Arbor Day tree planting schedule at area elementary schools.	R & F
278.	<b>Duplicate of communication # 268.</b>	
279.	Jeanine Kiec to Supervisor - Proposal to submit a bill targeted at reducing the high school dropout rate.	YOUTH BUREAU DIRECTOR R & F
280.	NYSDEC to Supervisor - Advisement that 1995/1996 Update and Responsiveness Summary is available from the NYSDEC.	R & F
281.	Peter F. Kertzie to Supervisor - Concerns re. dirt bikers at the flood control area owned by the Town near Doe Haven Circle and Pheasant Run Lane.	R & F
282.	Village of Depew Mayor to Town Attorney and Cheektowaga Dep. Town Attorney - Copy of revised proposed agreement for assessing services.	TOWN ATTORNEY
283.	Exec. Dir. Of NYS Association of Towns to Supervisor - Acknowledgment of dues received from the Town.	R & F
284.	Safety Director to Supervisor - Minutes for meeting of 3/28/96.	R & F
285.	Community Blue to Supervisor - Notification of 6% rate increase effective 5/1/96.	R & F
286.	Town Clerk to various Newspapers - Notice of SEQR Review Meeting to be held 4/15/96..	R & F
287.	Receiver of Taxes to Town Board - Copy of 1996 County/Town Tax Warrant	R & F

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|------|---|--|
| 288. | James Perry to Town Board -<br>Comments re. hiring of help in Town Attorney's office.   | <u>R &amp; F</u>                                       |
| 289. | Parks Dept. Crew Chief to Supervisor -<br>Appropriation of monies in Conservation Fund to fund<br>the Town Forester's position and forestry equipment.                  | <u>R &amp; F</u>                                       |
| 290. | Parks Dept. Crew Chief to Supervisor -<br>Hiring of 1996 summer personnel..   | <u>R &amp; F</u>                                       |
| 291. | Modern Recycling to Supervisor -<br>Re. disposal of "household hazardous waste".  | <u>COUNCIL MEMBER</u><br><u>MILLER</u>                 |
| 292. | LVAC to Supervisor -<br>Request for adoption of the Service Awards Program for<br>volunteer ambulance corps members.  | <u>R &amp; F</u>                                       |
| 293. | Adelphia Cable to Hon. John C. Crary, NYSPSC -<br>Notification of transfer of franchise properties to Global<br>Acquisition Partners. Ltd. Was completed April 1, 1996. | <u>R &amp; F</u>                                       |
| 294. | County Comptroller to County Attorney -<br>Re. Sales tax trust fund accounts.   | <u>SUPERVISOR</u><br><u>TOWN ATTORNEY</u>              |
| 295. | Adelphia Cable Communications to Supervisor -<br>Acquisition of Jones Intercable by Adelphia Cable was<br>4/1/96.   | <u>R &amp; F</u>                                       |
| 296. | <b>Duplicate of communication #289</b>  |  |
| 297. | Exec. Dir. Depew/Lancaster Boys & Girls Club to Town Board-<br>Seek permission to hold 19th Annual 10K Race 7/4/96.   | <u>POLICE CHIEF</u>                                    |
| 298. | <b>Duplicate of communication #291</b>  |  |
| 299. | Town Engineer to James DiLapo, Jr. -<br>Floodway revisions at Forestream Subdivision.   | <u>PLANNING COMMITTEE</u><br><u>DRAINAGE COMMITTEE</u> |
| 300. | Planning Board Chairman to Town Board -<br>Minutes for meeting 4/3/96.  | <u>R &amp; F</u>                                       |
| 301. | Town Planning Board to Town Board -<br>Recommendation of unanimous approval of site plan for<br>Fredericks Manor.   | <u>R &amp; F</u>                                       |
| 302. | <b>Duplicate of communication #290.</b>   |  |

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER MILLER , AND SECONDED BY  
THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:10 P.M.

Signed

*Robert P. Thrill*

Robert P. Thrill, Town Clerk